IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 959 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 17/03/2005 in WP NO : 1965 OF 2001 on the file of the High Court.)

Between:

1 The Vice-Chancellor, Osmania University, Hyderabad.
2 The Registrar Osmania University, Hyderabad.
3 The Asst.Registrar (Administration) Osmania University,

Hyderabad.
4 The Director, Institute of Genetics, Osmania University

Begumpet, Hyderabad.

..... APPELLANTS

AND

Smt. K.Veena W/o.Ramakanth,
O/o. The Director, Institute of Genetics, Osmania University,
Begumpet, Hyderabad.

.....RESPONDENT

-

WRIT PETITION NO : 1965 of 2001

Between:

Smt. K.Veena W/o.Ramakanth, O/o. The Director, Institute of

Genetics, Osmania University, Begumpet, Hyderabad.

..... PETITIONER

AND

1 The Vice-Chancellore, Osmania University,
Hyderabad-500 007.
2 The Registrar Osmania University,
Hyderabad-500007.
3 The Asst.Registrar (Administration) Osmania University,
Hyderabad-500007.
4 The director, Institute of Genetics,
Osmania University BegumPet,
Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondent in termination the service of the petitioner by issuing the impugned proceedings No.484/6/89/Estt.III, Dt.2.1.2001 which was served on the petitioner only on 3.2.2001 issued by the 2nd Respondent with out following the rules as illegal, arbitrary and violative of Art.14,16 & 21 of the constitution of India and pass such other order or orders as the Honourable Court thinks it fit.

Counsel for the Appellants: MR.DEEPAK BHATTACHARJEE(S.C. FOR O.U.)

Counsel for the Respondent No.: MR.C.RAMESH SAGAR

The Court made the following :

JUDGMENT (Per the Honourable Smt.Justice T.Meena Kumari)

The present writ appeal is preferred by the University against the order of the learned single Judge passed in W.P.No:1965 of 2001, dated 17.3.2005, by which the writ petition is disposed of with the observations as mentioned therein.

The respondent herein is the respondent. She filed the writ petition seeking a direction to declare the action of the University-authorities in terminating her services by issuing the impugned proceedings, dated 2.1.2001 as arbitrary. The learned single Judge disposed of the writ petition directing the petitioner to file a comprehensive detailed representation to the University authorities, which itself in turn can as well be referred to the Government for necessary approval, sanction, promotion whatsoever as required under law for treating the services all along and regularization of the same and giving all such benefits to which, she is entitled to. Having aggrieved by the same, the present writ appeal is preferred by the University.

Heard the learned counsel.

When the appeal is taken up for hearing, it is brought to the notice of this Court by the learned Standing counsel for the University that though the petitioner was appointed as a Dietician on a consolidated pay of Rs.500/-, subsequently, that post was not available and therefore, she has been appointed in the regular vacancy for the post of Nurse.

In view of the fair submission by the learned Standing Counsel that the petitioner has been presently appointed in a regular vacancy, We modify the order of the learned single Judge to the effect that as the petitioner was appointed in a regular vacancy, she is entitled to all the benefits in accordance with the Rules.

Accordingly, this appeal is disposed of and consequently, the writ petition is closed.

(T.MEENA KUMARI, J)

13TH JULY, 2005

(P.LAKSHMANA REDDY,J)

GURC/RKK

COPIES TO:

1 The Vice-Chancellor, Osmania University, Hyderabad.
2 The Registrar Osmania University, Hyderabad.
3 The Asst.Registrar (Administration) Osmania University,

Hyderabad.
4 The Director, Institute of Genetics, Osmania University

Begumpet, Hyderabad.

5. 2 C.D. COPIES.